

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF TEXAS  
CORPUS CHRISTI DIVISION**

**DAVID HAVERKAMP,  
TDCJ NO. 00702013,  
Plaintiff,**

**v.**

**JOSEPH PENN, *et al.*,  
Defendants,**

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**Civil Action No. 2:17-CV-00018**

**Jury Demand**

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**DEFENDANTS' AMENDED NOTICE OF APPEAL**

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Defendants Robert Greenberg, Preston Johnson, Jr., John Burruss, Erin Wyrick, Jeffrey Beeson and Dee Budgewater hereby jointly appeal to the United States Court of Appeals for the Fifth Circuit from the district court's Order [Dkt. No. 212] of September 23, 2020. This is an interlocutory appeal based on the denial of Defendants' entitlement to sovereign immunity. *See* 28 U.S.C. § 1292; *see also Griggs v. Provident Consumer Disc. Co.*, 459 U.S. 56, 58 (1982) ("The filing of a notice of appeal is an event of jurisdictional significance—it confers jurisdiction on the court of appeals and divests the district court of its control over those aspects of the case involved in the appeal.").

**Dated:** October 14, 2020.

Respectfully Submitted.

**KEN PAXTON**  
Attorney General of Texas

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Deputy First Assistant Attorney General

**DARREN L. MCCARTY**  
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**SHANNA E. MOLINARE**  
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/s/ Courtney Corbello  
**COURTNEY CORBELLO**  
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**NOTICE OF ELECTRONIC FILING**

I, **COURTNEY CORBELLO**, Assistant Attorney General of Texas, do hereby certify that I have electronically submitted for filing, a true and correct copy of the above and foregoing in accordance with the Electronic Case Files System of the Southern District of Texas, on October 14, 2020.

/s/ Courtney Corbello

**COURTNEY CORBELLO**

Assistant Attorney General

**CERTIFICATE OF SERVICE**

I, **COURTNEY CORBELLO**, Assistant Attorney General of Texas, do hereby certify that a true and correct copy of the above and foregoing has been served via U.S.P.S., postage prepaid, certified mail, return receipt requested, on October 14, 2020 addressed to:

David Alan Haverkamp  
a/k/a Bobbie Lee Haverkamp, #702013  
Stiles Unit  
3060 FM 3514  
Beaumont, Texas 77705

/s/ Courtney Corbello

**COURTNEY CORBELLO**

Assistant Attorney General